

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### EXTRAORDINARY

### No. 2

#### GOVERNMENT OF GOA

Department of Urban Development  
Directorate of Municipal Administration

#### Notification

271/98-DMA/2141

In exercise of the powers conferred by sub-section (1) of section 308 of the Goa Municipalities Act, 1968 (Act No. 7 of 1969), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following model Bye-laws and publishes the same for the guidance of the Municipal Councils, namely:—

*Short title, application and commencement.*— (1) These bye-laws may be called the Goa (Control of malaria and other mosquito borne diseases) Bye-laws, 1998.

(2) They shall be applicable to all the Municipal Councils in the State of Goa.

(3) They shall come into force at once.

*Bye-law 1.*— (1) No person or local authority shall, —

(a) have, keep, or maintain within their area any collection of standing or flowing water in which mosquitoes breed or are likely to breed; or

(b) cause, permit, or suffer any water within their area to form a collection in which mosquitoes breed or are likely to breed, unless such collection has been so treated as effectively to prevent such breeding.

(2) The natural presence of mosquito larvae, in any standing or flowing water, shall be an evidence that mosquitoes are breeding in such water.

*Bye-law 2.*— *Treatment of mosquito breeding places.*— (1) The Chief Officer of a Municipal Council may, by notice in writing, require the owner or the occupier of any place containing any collection of standing or flowing water in which mosquitoes breed or are likely to breed, within such time as may be specified in the notice not being less than 24 hours, to take such measures with respect to the same, or to treat the same by such physical, chemical or biological method, being measures or methods as the Chief Officer of a Municipal Council may consider suitable in the circumstances.

(2) If a notice under clause (1) above is served on the occupier, he shall, in the absence of a contract, expressed or implied to the contrary, be entitled to recover from the owner the reasonable expenses incurred by him in taking the measures or adopting the method of treatment specified in the notice and may deduct the amount of such expenses from the rent which is then or which may thereafter be due from him to the owner.

*Bye-law 3.*— *Chief Officer's power in case of default.*— If the person on whom a notice is served under bye-law No. 2, fails or refuses to take the measures or adopt the method of treatment specified in such notice within the time specified therein, the Chief Officer of a Municipal Council may himself take such measures or adopt such treatment specified in such notice immediately after the time specified in such notice expires and recover the cost of doing so from the owner or occupier of the property, as the case may be, in the same manner as if it were a property tax.

*Bye-law 4.*— *Protection of antimosquito works.*— Where, with the object of preventing breeding of mosquitoes in any land or building, the Government or any local authority or the occupier, at the instance of the Government or the local authority have constituted any works in such land or building, the owner or the occupier for the time being shall prevent such land or building being used in any manner which causes or is likely to cause the deterioration of such works, or which impairs, or is likely to impair the efficiency.

*Bye-law 5: Prohibition of interference with such works.*— (1) No person shall, without the consent of the Chief Officer of the Municipal Council interfere with, injure, destroy, or render useless any work executed or any material or thing placed in, under or upon any land or building, by the orders of the Chief Officers, with the object of preventing the breeding of mosquitoes therein.

(2) If the provisions of clause (1) above are contravened by any person, the Chief Officer of the Municipal Council may re-execute the work or replace the materials or things, as the case may be, and the cost of doing so shall be recovered from such person in the same manner as if it were a property tax.

*Bye-law 6: Provision in respect of household cans and other containers.*— The owner or occupier of any house, building, or shed or land shall not keep therein any bottle, vessel, can or any other container, broken or unbroken, in such manner that it is likely to collect and retain water which may breed mosquitoes.

*Bye-law 7: All burrow pits required to be dug in the course of construction and repair of roads, railways, embankments, etc., shall be so cut as to ensure that water does not remain stagnant therein. Wherever possible and practicable, the burrow pits shall be left clean and sharp edged and an extra expenditure*

not exceeding one per cent of the cost of the earth work in any project may be incurred to achieve this. The bed level of burrow pits shall be so graded and perofiled, that water shall drain off by drainage channels connecting one pit with the other till the nearest natural drainage nullah is met with. No person shall create any isolated burrows pit which is likely to cause accumulation of water which may breed mosquitoes.

*Bye-law 8: Powers of Chief Officer of Municipal Council to enter and inspect the premises.*— For the purpose of enforcing these provisions, the Chief Officer or any of his duly authorised subordinate may, at all reasonable times, after giving such notice in writing as may appear to him reasonable, enter and inspect any land or building within his jurisdiction and the occupier or the owner, as the case may be, of such land or building, shall give all facilities necessary for such entry and inspection, and supply all such information as may be required of him for the purpose aforesaid.

By order and in the name of the Governor of Goa.

K. N. S. Nair, Ex-Officio Joint Secretary to the Government of Goa.

Panaji, 31st December, 1998.